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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/700,886	11/21/2000	Gian Luigi Rigosi	US17024	3186

7590 11/20/2003
Margaret S Millikin
Basell North America Inc
912 Appleton Road
Elkton, MD 21921

EXAMINER

LEE, EDMUND H

ART UNIT PAPER NUMBER

1732

DATE MAILED: 11/20/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/700,886

Applicant(s)

RIGOSI ET AL.

Examiner

EDMUND H. LEE

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 October 2003.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
- a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- ☐ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- ☐ Interview Summary (PTO-413) Paper No(s). _____
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____

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DETAILED ACTION

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 10/14/03 has been entered.

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 5 and 10-12 are rejected under 35 U.S.C. 102(b) as being anticipated by Ricci et al (WO 96/14533). Ricci et al teaches the claimed article. See pg 3, ln 10-pg 6, ln 12.

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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5. Claims 1-4 and 6-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ricci et al (WO 96/14533) in view of Chaung (USPN 6207089). In regard to claim 1, Ricci et al teach the basic claimed process including a process for affecting a coupling between a plastic material and a metal surface (pg 3, ln 10-pg 6, ln 12); applying a powder of an adhesive polymer composition to the metal surface (pg 3, ln 10-pg 6, ln 12); overmolding the metal surface with a plastic material by injection molding (pg 3, ln 10-pg 6, ln 12); and applying heat to the metal surface (pg 3, ln 10-pg 6, ln 12). However, Ricci et al do not teach applying heat to the metal surface after step b, i.e., the step of overmolding. Chaung teaches injecting a polymeric particulate composition against a metal preform to form a plastic-metal composite (col 6, lns 34-48; figs 1-12); heating the metal preform and the injected plastic in order to enable both to be softened during the whole process (col 9, lns 23-34); and maintaining the temperature of the metal preform and the plastic at the heated temperature (col 9, lns 23-34)--as a note, this constitutes applying heat to the metal preform after the step of injection molding. Ricci et al and Chaung are combinable because they are analogous with respect to injection molding a plastic-metal composite. Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to heat the metal surface of Ricci et al after the step of overmolding in order to reduce cycle time and energy costs by ensuring that the metal surface and the polymer composition is in a softened state during and after the step of overmolding. In regard to claims 2-4 and 6-9, Ricci et al teach heating the metal surface before or after applying the adhesive polymer composition and before overmolding the metal surface (pg 3, ln 10-pg 6, ln 12); applying

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an organic or inorganic primer to the metal surface before applying a powder of an adhesive polymer composition to the metal surface (pg 3, ln 10-pg 6, ln 12); and applying an organic or inorganic primer to the metal surface before applying a powder of an adhesive polymer composition to the metal surface (pg 3, ln 10-pg 6, ln 12).

However, Ricci et al do not teach applying pressure during the step of applying heat to the metal surface. It should be noted that the step of injection molding in Ricci et al constitutes applying pressure to the metal surface. In regard to applying pressure to the metal surface, it is well-known in the molding art to apply pressure during a heating step in order to heat a preform more quickly. Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to apply pressure during the heating step of Ricci et al (modified) in order to achieve the above result.

6. Applicant's arguments with respect to claims 1-12 have been considered but are moot in view of the new ground(s) of rejection.

It should be noted that product by process claims 5 and 10-12 have been examined for their structural limitations. These claims have been treated as product claims. See MPEP 2113.


7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to EDMUND H. LEE whose telephone number is 703.305.4019. The examiner can normally be reached on MONDAY-THURSDAY FROM 9AM-4PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Colaianni can be reached on 703.305.5493. The fax phone

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number for the organization where this application or proceeding is assigned is
703.872.9306.

Any inquiry of a general nature or relating to the status of this application or
proceeding should be directed to the receptionist whose telephone number is
703.308.0661.


EDMUND H. LEE
Primary Examiner
Art Unit 1732 11/18/07

EHL